

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ELLIPSE COMMUNICATIONS, INC.

Plaintiff,

VS.

KEITH CAVEN, *et al.*,

Defendants.

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CIVIL ACTION NO. 3-07-CV-1922-O

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court are the Findings and Recommendation (“Recommendation”) of the United States Magistrate Judge (Doc. No. 25) dated October 17, 2008, recommending that Plaintiff’s Motion for Preliminary Injunction (Doc. No. 8), filed February 18, 2009, be denied. Plaintiff has not filed written objections to the Magistrate Judge’s Recommendation. After making an independent review of the pleadings, files and records in this case, and pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure, the Court finds that the Recommendation of the Magistrate Judge is correct and should be accepted as the Findings and Recommendation of the Court. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b).

It is, therefore, **ORDERED** that the Findings and Recommendation of the United States Magistrate Judge are accepted.

So ORDERED this 26th day of February, 2009.



Reed O'Connor
UNITED STATES DISTRICT JUDGE